

1 Counsel listed on the signature page.

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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11 VOIP-PAL.COM, INC.,

12 *Plaintiff,*

13 v.

14 APPLE INC.,

15 *Defendant.*

Case No. 18-cv-06216-LHK

**JOINT STIPULATION AND [PROPOSED]
ORDER REQUESTING MODIFICATION
OF THE COURT'S CASE MANAGEMENT
ORDER**

16 VOIP-PAL.COM, INC.,

17 *Plaintiff,*

18 v.

19 AMAZON.COM, INC. AND AMAZON
20 TECHNOLOGIES, INC.

21 *Defendants.*

Case No. 18-cv-07020-LHK

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1 Pursuant to Civil Local Rule 6-2, Plaintiff VoIP-Pal and Defendants Apple and Amazon hereby
 2 jointly submit this request to modify the Court's May 22, 2019 Case Management Order (18-cv-06216,
 3 ECF No. 85; 18-cv-07020, ECF No. 65). The parties propose the modifications in view of the
 4 continuance of the claim construction hearing, which was originally scheduled on September 5, 2019;
 5 was first continued to September 19, 2019; and is now scheduled on October 24, 2019. (18-cv-06216,
 6 ECF Nos. 85, 100; 18-cv-07020, ECF Nos. 65, 78). The current fact discovery deadline remains
 7 December 6, 2019.

8 The parties seek to modify the schedule to restore approximately the amount of time that the
 9 Court's original schedule provided between the claim construction hearing and the close of fact
 10 discovery. The parties believe that the modified schedule will allow the parties to more efficiently
 11 conclude fact discovery—and potentially avoid burdening the Court with discovery disputes that may
 12 become moot as a result of the Court's claim construction order or the parties' subsequent narrowing
 13 of claims and prior art theories. Accordingly, the parties have agreed, subject to the Court's
 14 permission, to revise the current schedule as set forth below:

Scheduled Event	Current Date/Deadline	[Proposed] Modified Date/Deadline
Claim Construction Hearing	October 24, 2019 at 1:30 p.m.	October 24, 2019 at 1:30 p.m. [No change]
Further Case Management Conference	November 6, 2019	November 6, 2019 [No change]
Close of Fact Discovery	December 6, 2019	February 7, 2020
Opening Expert Reports	January 10, 2020	March 11, 2020
Rebuttal Expert Reports	February 7, 2020	April 9, 2020
Close of Expert Discovery	March 6, 2020	May 7, 2020
Last Day to File Dispositive Motions and <i>Daubert</i> Motions	April 3, 2020	June 4, 2020
Hearing on Dispositive Motions and <i>Daubert</i> Motions	May 21, 2020 at 1:30 p.m.	At the Court's convenience

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2 Dated: October 2, 2019

3 MALEK MOSS PLLC

4 /s/ Kevin N. Malek

5 Kevin N. Malek (*pro hac vice*)
340 Madison Avenue, Floor 19
6 New York, New York 10173
(212) 812-1491
7 kevin.malek@malekmoss.com

8 CARLSON & MESSER LLP

9 David Kaminski
J. Grace Felipe
10 5901 W. Century Boulevard Suite 1200
Los Angeles, California 90045
11 Tel: (310) 242-2200
Fax: (310) 242-2222
12 kaminskid@cmtlaw.com
felipeg@cmtlaw.com
13 *Attorneys for Plaintiff VoIP-Pal.Com, Inc.*

14 DESMARAIS LLP

15 /s/ Ameet Modi

16 Ameet A. Modi (*pro hac vice*)
17 Robert C. Harrits (*pro hac vice*)
18 Michael J.X. Matulewicz-Crowley (*pro hac vice*)
230 Park Avenue
New York, NY 10169
19 Telephone: (212) 351-3400
Facsimile: (212) 351-3401
20 amodi@desmaraisllp.com
rharrits@desmaraisllp.com
21 mmatulewicz-crowley@desmaraisllp.com

22 John M. Desmarais (SBN 320875)

23 Peter C. Magic (SBN 278917)
101 California Street, Suite 3070
24 San Francisco, CA 94111
Telephone: (415) 573-1900
Facsimile: (415) 573-1901
25 jdesmarais@desmaraisllp.com
pmagic@desmaraisllp.com

26 *Attorneys for Defendant Apple Inc.*

27 PERKINS COIE LLP

28 /s/ Daniel Shvodian

29 Daniel T. Shvodian (SBN 184576)
James F. Valentine (SBN 149269)
Wing Liang (SBN 285521)
3150 Porter Drive
30 Palo Alto, CA 94304-1212
Telephone: (650) 838-4300
Facsimile: (650) 838-4489
31 DShvodian@perkinscoie.com
JValentine@perkinscoie.com
WLiang@perkinscoie.com

32 *Attorneys for Defendants Amazon.com, Inc.
and Amazon Technologies, Inc.*

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2 PURSUANT TO STIPULATION, IT IS SO ORDERED
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4 Date: _____

5 Lucy H. Koh
6 United States District Judge
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ATTESTATION OF E-FILED SIGNATURES

I, Kevin N. Malek, am the ECF User whose ID and password are being used to file this Joint Stipulation. In compliance with the rules of this Court, I hereby attest that all counsel whose signatures are affixed to this filing have concurred in this filing.

/s/ Kevin N. Malek